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SUBJECT: NATIONAL HUMAN RIGHTS COMMISSION RELUCTANTLY
TAKING UP DPRK HUMAN RIGHTS ISSUE

Classified By: POL M/C Joseph Yun. Reasons 1.4(b/d)

¶1. (C) SUMMARY: In a May 28 meeting with POL M/C, National Human Rights Commission Commissioner Yoo Nam-young and colleagues explained that the Commission is complying with a Blue House request to complete a study of human rights conditions in North Korea by the end of the year, after largely ignoring North Korea under the previous administration. However, Yoo, a Roh administration appointee, like other commissioners, expressed sympathy with what he described as progressives' general reluctance to call attention to North Korean human rights abuses, because such criticism would "provoke" the North and be seen as dancing to a U.S. tune. END SUMMARY.

NHRC REMAINS INDEPENDENT

¶2. (U) The ROK National Human Rights Commission (NHRC) is chaired by Ahn Kyong-whan, formerly a law professor at Seoul National University, with experience as a visiting professor at Santa Clara Law School. Despite a suggestion by President Lee Myung-bak's transition team to place it under the authority of the Blue House, it retained its status as an independent body, in part because civil society groups and the UN's Office of the High Commissioner of Human Rights objected. Apart from Chairperson Ahn, there are three Standing Commissioners and seven Non-Standing Commissioners; four are named by the Blue House; the rest are recommended by the National Assembly (four) and the Chief Justice of the Supreme Court (three) but require Blue House approval. They serve for three years. Both Ahn (appointed in 2006) and Yoo (appointed in 2007) are holdovers from President Roh Moo-hyun's time in office.

¶3. (C) Yoo said that the NHRC has an uneasy relationship with the Lee Administration, which he said progressives, apparently including himself, regard as concerned about economic growth and social order and willing to let human rights issues be sacrificed if needed. The NHRC was bound to have such an uneasy relationship with the President because human rights issues such as the National Security Law, the death penalty, the status of conscientious objectors, labor rights, and gender and gay issues all had political dimensions as well. The Lee Administration has made it clear that it will give less priority to these issues compared with the previous governments.

TAKING UP NORTH KOREA

14. (C) The ROK's NHRC has been conspicuously quiet about North Korean human rights issues since it was established in 2001, to the regret of human rights activists concerned about North Korea. Thus, the announcement in March that the NHRC would investigate human rights conditions in the DPRK drew attention. Yoo and Human Rights Policy Team Deputy Director Cho Young-kuk confirmed that the NHRC will complete an overall assessment of the human rights situation in North Korea by the end of the year. The study will be based on interviews with some of the 13,000 DPRK defectors in the ROK, especially "those who were detained" in North Korea at some point, a review of NGOs' and international organizations' research on human rights conditions, and information exchange with third countries. Reports on selected issues will appear over the following several months.

15. (C) While acknowledging the importance of such a report, Yoo's comments were mostly about ROK progressives' reluctance to point the finger at North Korea for human rights abuses, "which everyone knows are there." North Korean human rights issues are a political issue that the U.S. emphasizes, Yoo said, seen as part of the U.S. effort to "contain" North Korea and isolate it from international society. Hence, for South Korean progressives to raise DPRK human rights issues in public would be to dance to a U.S. tune.

16. (C) Instead, Yoo continued, ROK progressives have focused on increasing exchanges and reconciliation between North and South during the last ten years, and have not wanted discussions of human rights issues, which the North regards as provocative, to get in the way. This stance was

defensible in terms of maintaining concern for North Koreans' welfare because, even though they have been "silent" about human rights, progressives have been "vocal" about the need to increase food and other economic assistance to North Korea. Moreover, the fact that the ROK has accepted 13,000 DPRK defectors, with progressives' support, stems from a desire to defend their human rights.

17. (C) Progressives also support the Six-Party Talks, Yoo added. In their view, resolving the nuclear issue would allow the U.S. to drop its hostile policy toward North Korea, which would in turn lead to North Korea being more willing to live by international human rights standards, as well as behaving more like a normal country.

18. (C) Asked about the Lee Administration's approach to North Korea, including the human rights issue, Yoo said that the initial approach -- "anything but Roh" -- was now being modified as ROKG officials realized that they had to learn to deal with the North.

19. (C) Cho, who is leading the study of North Korea's human rights situation, intervened to reinforce the idea that USG officials talking about North Korea's human rights shortcomings was counterproductive, because it raised tensions. A better approach, he argued, was to work with the ROKG to develop effective measures to bring about improvements in conditions in the North, such as economic and food assistance. Neither he nor Yoo could accept POL M/C's suggestion that dedicated NGOs and religious organizations inside and outside of South Korea expected the ROKG to play a leadership role in pointing out and criticizing DPRK human rights abuses.

Comment

110. (C) The NHRC is a good example of the tremendous bureaucratic opposition and inertia faced by the Lee administration. The Commission is dominated by left-over personnel from the Roh administration; they hold very different views on human rights in general, and North Korean human rights in particular. While the Commission will likely carry out official requests from the Blue House, such as a

comprehensive study on North Korean human rights, it will do so slowly, reluctantly and with an eye toward promoting its own progressive/leftist agenda. The NHRC is a minor example compared with the difficulties the Lee administration faces with state-owned newspapers, TV and radio stations, which are all still run by Roh administration appointees.

VERSHBOW